
City of Reading City Council

Regular Meeting Monday, July 28, 2008

A regular meeting of City Council was held on the above date for the transaction of general business.

Steve Fuhs, Vice President of Council, called the meeting to order.

The invocation was given by Reverend Calvin Kurtz from the Reading Berks Conference of Churches.

All present pledged allegiance to the flag.

ATTENDANCE

Councilor S. Fuhs, District 1

Councilor M. Goodman–Hinnershitz, District 2

Councilor D. Sterner, District 3

Councilor S. Marmarou, District 4

Councilor M. Baez, District 5

Councilor J. Waltman, District 6

Mayor T. McMahon

Acting Managing Director R. Hottenstein

Public Works Director C. Jones

City Solicitor C. Younger

City Auditor D. Cituk

City Clerk L. Kelleher

Chief of Police W. Heim

Lt. L. Carter

PROCLAMATIONS AND PRESENTATIONS

Mike Schorn, from the Black Top Basketball Association, presented the City with a monetary donation to assist with the maintenance and care of the basketball area at City Park.

The Mayor issued a proclamation recognizing the 10th anniversary of Crime Alert Berks County.

Chief of Police Heim and the Reading Police Department issued a departmental commendation to Officer Scott Anuszewski recognizing his exemplary work with the community.

PUBLIC COMMENT

There were no citizens registered to address Council this evening.

THE AGENDA AND THE MINUTES

Council Vice President Fuhs called Council's attention to the agenda, including legislation under the Consent Agenda heading, and the minutes from the July 14th Regular Meeting of Council. He announced the removal of the resolution authorizing a memorandum of understanding for the Waste Water Treatment Plant Project from the agenda.

Councilor Marmarou moved, seconded by Councilor Goodman–Hinnershitz, to approve the minutes from the July 14th Regular Meeting of Council and the agenda as amended, including the legislation listed under the consent agenda heading. The motion was approved unanimously.

ADMINISTRATIVE REPORTS

Mayor McMahon highlighted the report distributed to Council at the meeting covering the following:

- Announcing the 25th annual National Night Out scheduled for Tuesday August 5th
- Interviews for the Community Development Manager position concluding on August 15th and interviews for the Managing Directors position concluding on August 30th.
- Opening of the IMAX and Reading Movies at 6pm Friday August 8th.
- Last chance notice to property owners who are not in compliance with regulations requiring a housing permit, business license, and zoning permit for rental properties to be completed by August 15th.

Councilor Waltman questioned the rationale behind offering another last chance deadline for the housing permit process. He stated that the Administration has already extended the deadline several times for those who are still out of compliance. Mr. Hottenstein explained that this deadline includes property owners identified as non-compliant.

Councilor Goodman-Hinnershitz stated that people living in rental units must be sure they are living in safe properties. She noted the need for the City to be prepared to assist those evicted to find other shelter when non-compliant properties are shut down.

AUDITORS REPORT

City Auditor Dave Cituk introduced Jane Coles senior partner at Herbein & Company. Ms. Coles provided a synopsis of the external audit report prepared and presented to Council at the meeting.

Ms. Coles stated that the City closed out 2007 with a surplus of \$4.1 million. She explained that while revenue came in \$1.6 million over budget (combination of grants, fines, and fees), expenditures also came in \$3.7 million over budget. She stated the City received \$4.9 million in Federal awards, a combination of Housing and Urban development funds and \$3.1 million from CDBG.

Councilor Waltman questioned the \$3.7 million in over expenditures. Mr. Hottenstein asked Council to review pages 59 and 60 of the external audit which provides a detail by department.

City Auditor Cituk thanked Herbein and Company along with finance staff and his assistant Maria Rodriguez for their work to produce the 2007 external audit.

ORDINANCES FOR FINAL PASSAGE

Bill No. 49–2008 – Storm Water Management (Public Works/Solicitor)
Introduced at the July 14 meeting

Councilor Waltman moved, seconded by Councilor Goodman–Hinnershitz, to table Bill 49–2008.

Bill 49–2008 was tabled by the following vote:

Yeas – Baez, Fuhs, Goodman–Hinnershitz, Marmarou, Sterner,
Waltman, Spencer, President – 7
Nays – 0

Bill No. 50–2008 – amending the City’s Code of Ordinances, Chapter 24 Taxation, Part 5 by adding a provision relating to the business privilege tax regulation’s procedure for determining manufacturing exemptions and by adding a refund claim provision. (Tax Division and Law Department) *Introduced at the July 14 meeting*

Councilor Waltman moved, seconded by Councilor Baez, to table Bill 50–2008.

Bill 50–2008 was tabled by the following vote:

Yeas – Baez, Fuhs, Goodman–Hinnershitz, Marmarou, Sterner,
Waltman, Spencer, President – 7

Nays – 0

Vice President of Council Fuhs referred Bill 50–2008 to the Finance Committee.

Bill No. 51–2008 – Amending the 2008 Full–Time position Ordinance by reducing the number of police officers to 208 and the number of firefighters to 145. (Council Pres. Spencer) *Introduced at the July 14 meeting*

Councilor Waltman moved, seconded by Councilor Baez, to table Bill 51–2008.

Bill 51–2008 was tabled by the following vote:

Yeas – Baez, Fuhs, Goodman–Hinnershitz, Marmarou, Sterner,
Waltman, Spencer, President – 7
Nays – 0

Vice President of Council Fuhs explained that this bill will be discussed when a full body is present.

INTRODUCTION OF NEW ORDINANCES

Vice President of Council Fuhs read the following ordinances into the record.

Bill No. 43-2008 - amending the Housing Permit Ordinance by reducing the number of Disruptive Conduct Reports needed for the eviction of the tenant(s) to two and increasing the appeal fee from \$50 to \$75 (Council Public Safety Committee) *Introduced at the May 12 regular meeting; Tabled at the May 27 regular meeting*

Ordinance - Setting Forth Its Intent To Issue A Series Of General Obligation Bonds, Series E Of 2008 Of The City In The Aggregate Principal

Amount Of _____ Million _____ Hundred Thousand Dollars
(\$_____)

Ordinance - Setting Forth Its Intent To Issue Two Series Of General Obligation Notes Designated As Series C Of 2008 And Series D Of 2008 Of The City In The Aggregate Principal Amount Of _____ Million _____ Hundred Thousand Dollars (\$_____)

Vice President Fuhs noted the need to include not to exceed figures in these draft Ordinances. Mr. Hottenstein explained that the true costs are not known due to the mark of fluxuations. The actual cost will be included in the ordinances and will be prepared for enactment at the August 11th meeting.

Vice President of Council Fuhs requested that these two ordinances be amended to add language “not to exceed 60 million dollars”. Mr. Hottenstein agreed adding that the estimated cast of the bond will be 52.5 million dollars.

RESOLUTIONS

Resolution 81–2008 – appointing John Caltagirone to the Legislative Aide Committee (**Administrative Oversight Committee**)

Resolution 82–2008 – appointing Sonia Nina to the Board of Health (**Administrative Oversight Committee**)

Resolution 83–2008 – appointing Janet Drayer to the Environmental Advisory Council (**Administrative Oversight Committee**)

Resolution 84–2008 – reappointing Lillie Mathies to the Reading Housing Authority (**Administrative Oversight Committee**)

The Administrative Oversight Committee moved to make appointments and reappointments to the Boards, Authorities, and Commissions.

Resolution 81–2008 through 84–2008 were adopted by the following vote:

Yeas – Baez, Fuhs, Goodman–Hinnershitz, Marmarou, Waltman,
Sternner – 3

Nays– 0

Councilor Waltman moved to reconsider his vote on the Resolution awarding a contract to hire Weston Hill as the project and construction manager at the waste water treatment plant made on July 14th. Councilor Goodman–Hinnershitz seconded the motion.

Councilor Waltman explained that he will not support awarding this contract to Weston Hill unless he and Council are provided with an opportunity to review the proposals and interview Weston Hill.

The motion to reconsider the vote on the resolution awarding a contract to Weston Hill as the construction and project manager at the waster water treatment plant was approved by the following vote.

Yeas: Baez, Goodman–Hinnershitz, Sternner, Waltman–4

Nays: Fuhs, Marmarou –2

Councilor Waltman moved, seconded by Councilor Baez, to table the award of contract for the construction and project manager at the waste water treatment plant.

Motion to table the award of contract was approved by the following vote:

Yeas: – Baez, Fuhs, Goodman–Hinnershitz, Marmarou, Waltman,
Sternner – 3

Nays– 0

COUNCIL COMMENT

Councilor Waltman commended those involved with the Black Top program noting the importance of providing activities for kids of all ages.

Councilor Sterner agreed noting how Black Top inter-mingles city and county children. He noted the quality of the Black Top League and its Organization.

Councilor Sterner announced the Crime Watch meeting scheduled for 13th & Green Elementary School on Wednesday July 30th. He also noted the upcoming community meeting at St. Mark's Lutheran Church on July 30th.

Councilor Goodman-Hinnershitz thanked the Black Top Organization for sponsoring this program and for assisting the City with the care and maintenance of the basketball area.

Councilor Goodman-Hinnershitz noted that the reformed PARC & Recreation Advisory Council will be holding their first meeting on Tuesday, July 29th at the Olivet on Pershing Blvd.

Councilor Goodman-Hinnershitz thanked Vince Smith owner of Scrap Metal USA for working with the neighborhood to correct the various quality of life problems the re-opening of this business has caused.

Councilor Marmarou stated that on Friday, July 25th he had phone calls from residents from the 1500 block of N. 14th Street reporting that Albright students were moving into a property that was not currently a student rental property. He stated that through Council Staff he was able to get this issue handled by codes and police. He thanked codes and police for their rapid response to this issue. He noted the discussions with the owner of the property led to some disgruntled remarks from the property owner. He noted that this property cannot become a student

rental under the City's regulations as student houses cannot be located more than one in every eight hundred feet, approximately every one and one-half blocks. He stated that there are five to seven student rental houses in this one neighborhood.

Councilor Marmarou asked all residents in the area to be attentive and to report illegal activity promptly.

Councilor Marmarou announced the annual Ice Cream Social sponsored by the College Heights Community Council on Tuesday August 5th from 6–8 pm in Hampden Park.

Councilor Baez announced that the Glenside Community Group will be meeting on August 7th at 6:30 pm at the Jamestown Conference Hall. She also reported that the Baer Park neighborhood group will be meeting on Monday August 4th at 6:30 pm.

Vice President of Council Fuhs expressed his belief that Council's decision about the Award of Contract for the project and construction manager on July 14th requires the Administration to re-bid this contract. He questioned the Administration's relationship with Weston Hill and he also questioned the Administration's effort to maneuver several Council members to reconsider their vote which will delay a process that is already quite broken.

Councilor Goodman–Hinnershitz moved, seconded by Councilor Sterner, to adjourn the Regular Meeting of Council.

Linda Kelleher
City Clerk